

Tippecanoe County Drainage Board

Minutes

September 15, 2009

Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was absent.

Approval of Minutes

David Byers made a motion to approve the August 5, 2009 Regular Drainage Board minutes as written. John Knochel seconded the motion. The August 5, 2009 Drainage Board meeting minutes were approved as written.

Purdue Research Park Phase 3 Part 2

Ross Nixon represented Schneider Corp. and appeared before the Board to request final approval for Purdue Research Park Phase 3 Part 2. The site consisted of approximately 100 acres and located north of Kalberer Road and west of Yeager Road (aka County Road 100West) and within the City limits of West Lafayette. The site included a detention facility developed during Phase 2 of Part 2 located at the tract's west side. The Baker-Dempsey Regulated Drain began at the north side of Kalberer Road and followed an open ditch through the detention facility. The drain was rerouted around the cemetery and eventually outlet to Hadley Lake. The Simeon Yeager Regulated Drain began on the north side of Kalberer Road crossed through the site continued to the north as well. Portions of the regulated drains located onsite were planned to be vacated in the near future and required documentation would be presented to the Board. Roadway and utility infrastructure would be added across the site connecting Yeager Road on the east. A canal and pond system would be constructed onsite which would discharge to an existing open ditch. The existing detention facility would be expanded on the eastern side for additional storage. Mr. Nixon stated the existing outlet was functioning and would be maintained. He concurred with the September 10, 2009 Burke memo and requested final approval.

There was no public comment. The Surveyor reiterated the Board's only concern was discharge/ release rates into the Baker Dempsey Regulated Drain and based on the September 10, 2009 Burke memo they met the allowable release rate. He recommended final approval with conditions based on the September 10, 2009 Burke memo. David Byers made a motion to grant final approval for the Purdue Research Park Phase 3 Part 2 with the conditions as stated on the September 10, 2009 Burke memo. John Knochel seconded the motion. Purdue Research Park Ph. 3 Part 2 was granted final approval with conditions stated on the September 10, 2009 Burke memo.

Wyandotte Elementary School

Justin Frazier represented TBIRD Design as he appeared before the Board to request final approval for Wyandotte Elementary School. The site consisted of approximately 19 acres on the south side of Co. Rd. 50 South and east of the intersection of County Road 50 South and County Road 550 East. The site drained to the open ditch at Co. Rd. 50 South westerly to the Berlowitz Regional Detention Facility recently constructed. The entire site was located within the Berlowitz Detention Basin watershed; therefore no onsite detention was planned. An entrance drive would be constructed from County Road 50 South. Runoff from the site would be collected by vegetated swales located around the site's perimeter and storm inlets located in parking lots and driveways. Runoff would be collected into the main storm infrastructure and routed to the Berlowitz Detention Facility for storage. Stormwater Quality was provided by onsite vegetated swales and Stormwater treatment units. Justin concurred with the September 10, 2009 Burke Memo and requested final approval. Responding to Mr. Byers' inquiry, the Surveyor noted there was a sanitary lift station located near the site. Also responding to Mr. Byers' inquiry, Justin noted they were actively pursuing easement acquisitions for the Tippecanoe School Corporation across the YMCA property for a storm sewer outlet. (100 yr. emergency overflow)

There was no public comment. The Surveyor recommended final approval with conditions as stated on the September 10, 2009 Burke memo. David Byers made a motion to grant final approval with conditions stated on the September 10, 2009 Burke memo for Wyandotte Elementary School. John Knochel seconded the motion. Wyandotte Elementary School was granted final approval with conditions as stated on the September 10, 2009 Burke memo.

Other Business

Resolution 2009-01-DB/Acceptance of Warranty Deeds

The Surveyor presented Resolution 2009-01-DB "Acceptance of Warranty Deeds" from Eastland LLC. , Sheumann Properties and Saddlebrook Development. These easements were to be granted to the Drainage Board based on an agreement between Saddlebrook and various companies in that area for the Berlowitz Phase 1 project (pond and property to the west of Co. Rd. 550 to 165). These had been executed and recorded by the owner. However there are two steps when property is deeded to the County. The first one was dedication and/or conveyance and the second was the actual acceptance. In order to complete the legal transaction the acceptance was required. He recommended the Drainage Board accept the Warranty Deeds as submitted. Responding to Mr. Murtaugh's inquiry, the Attorney stated it was acceptable for Drainage Board to accept on behalf of the County.

David Byers made a motion to accept Resolution 2009-01-DB "Acceptance of Warranty Deeds". John Knochel seconded the motion. Resolution 2009-01-DB Acceptance of Warranty Deeds was accepted by the Board. (Note: The Resolution will appear in its entirety proceeding these minutes)

Resolution 2009-02-DB Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities

The Surveyor presented Resolution 2009-02-DB "Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities" regarding the relocation (Felbaum Branch of the Berlowitz Regulated Drain north of McCarty Lane and east of I65) which took that portion of the Felbaum Branch into the Berlowitz Regional Detention Facility. The Easement was previously prepared and recorded. He recommended acceptance by the Board as presented.

David Byers made a motion to approve Resolution 2009-02-DB "Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities. John Knochel seconded the motion. Resolution 2009-02-DB Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities" was accepted by the Board. (Note: The Resolution will appear in its entirety proceeding these minutes)

Steve Murray

Petition to Encroach/J.N. Kirkpatrick Regulated Drain/Lot 41 Waterstone Subdivision

The Surveyor presented a Petition to Encroach on the J.N. Kirkpatrick Regulated Drain submitted by Rich Gbur of Lot 41 Waterstone Court Lafayette Indiana. Mr. Gbur requested to build a wooden bridge crossing the J.N. Kirkpatrick Regulated Drain (Phase 1 of the reconstruction). It would be at his own risk. If maintenance was required on that stretch of the J.N. Kirkpatrick and the bridge was damaged the County would not be responsible. He recommended the Board approve the Petition to Encroach on the J.N. Kirkpatrick Regulated Drain as submitted by Mr. Gbur.

David Byers made a motion to grant approval of the Petition to Encroach on the J.N. Kirkpatrick Regulated Drain. John Knochel seconded the motion. The Petition to Encroach on the J.N. Kirkpatrick Regulated Drain submitted by Rich Gbur was approved.

Surveyor Update Report/Branch #11 S.W. Elliot Regulated Drain

The Surveyor updated the Board on the progress to date for the reconstruction Branch #11 of the S.W. Elliot Regulated Drain. Mr. Eichelberger and Mr. Koons on the Burke staff have reviewed the plan to reconstruct from Butler Fairman Seifert (BFS). He also discussed with BFS what additional survey information they may have and if they would make it available to him. He received a cost estimate and rough time frame from Christopher Burke Engr. LTD for the project. He spoke with the City of Lafayette -Jenny Miller and Bob Foley - they were both in favor of the project. He had a preliminary meeting with an appraiser who has done work for the County Highway Department and INDOT regarding benefits and damages, as he felt a professional review and submission of a written appraisal of damages was in order.

The Surveyor's staff was presently working on a composite aerial which would include property owners, acreages, easements, the existing tile and new F-Lake Regional Detention Facility locations. He planned to set up a meeting in the near future with the Board Attorney regarding the exact process. He wanted to discuss with the Attorney the possibility and

benefits of declaring it a "Drainage Impact" area. He also wanted to discuss the possibility of the County paying up front for the project from the EDIT Drainage fund. This would involve setting up a drainage cost recovery for the development's storage fees (i.e. developers pay as storage was needed). He noted as there were not that many property owners involved, he hoped to have a contract and direction to proceed by the next meeting of the Board.

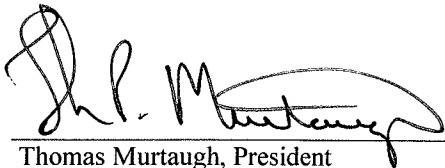
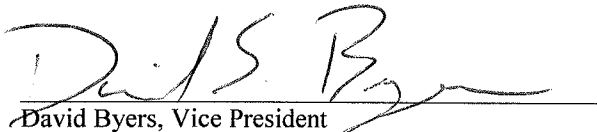
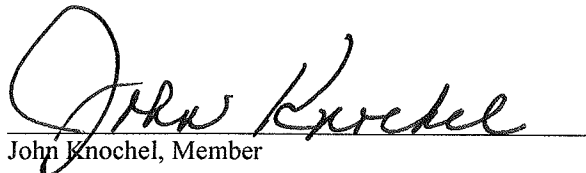
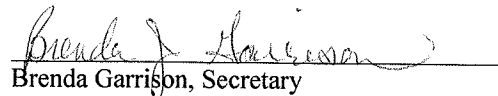
US 231 INDOT Update

The Surveyor updated the Board concerning the US 231 Relocation project. He stated he met with Kenny Franklin Project Manager with INDOT along with Randy Truitt, and a representative from the Governor's office to discuss the status of the relocation of US 231. A future meeting was scheduled with County Highway, Area Plan and several local officials in the upcoming week. He provided them with Christopher Burke's review of the detention area which addressed the Sherwood Forest Subdivision drainage issue. He was verbally informed INDOT would review the discharge location at the US52 side ditch (which eventually outlet to Indiana Creek), however he had not received any information from their consultant to date. He noted he didn't feel the reply to Mr. Luhman's letter gave a definite answer regarding INDOT's future submissions of Drainage plans for this project or others or even if they would comply with the local Drainage Ordinance. He stated that issue had not been resolved to date. He hoped to receive more answers at the next meeting with the INDOT representative, local officials, APC and County Highway officials. Responding to Mr. Murtaugh's inquiry, Opal Kuhl Highway Engineer confirmed that INDOT called the upcoming meeting. He then stated he would continue to keep the Board updated on his progress. The Board thanked him for his update.

David Byers then congratulated the County Surveyor on his 29 years of service to the County.

Public Comment

Since there was no public comment, David Byers made a motion to adjourn. The meeting was adjourned.


Thomas Murtaugh, President
David Byers, Vice President
John Knochel, Member
Brenda Garrison, Secretary

